

The following committees filed adverse reports, with minority favorable reports, on bill and resolution, as follows:

Constitutional Amendments: House Joint Resolution No. 18.

Highways and Motor Traffic: House Bill No. 816.

## FORTY-SECOND DAY

(Monday, April 1, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Ford
Adamson	Fox
Adkins	Frazer
Aikin	Fuchs
Alexander	Gibson
Alsup	Glass
Ash	Good
Atchison	Graves
Beck	Gray
Bergman	Greathouse
Bourne	Hankamer
Bradbury	Hanna
Bradford	Hardin
Broyles	Harris of Archer
Burton	Harris of Dallas
Butler of Brazos	Hartzog
Butler of Karnes	Head
Cagle	Herzik
Caldwell	Hill
Calvert	Hodges
Canon	Hofheinz
Celaya	Holland
Clayton	Hoskins
Collins	Howard
Colquitt	Huddleston
Colson	Hunt
Cooper	Hunter
Cowley	Jackson
Craddock	James
Crossley	Jefferson
Daniel	Jones of Atascosa
Davis	Jones of Falls
Davison of Fisher	Jones of Runnels
Davisson	Jones of Shelby
of Eastland	Jones of Wise
Dickison	Keefe
Dunagan	King
Dunlap of Hays	Knetsch
Dunlap of Kleberg	Lange
Duvall	Lanning
Dwyer	Latham
England	Leath
Fain	Lemens
Farmer	Leonard
Fisher	Lindsey
Fitzwater	Lotief

Lucas	Roberts
Luker	Rogers
Mauritz	Russell
McCalla	Rutta
McConnell	Scarborough
McFarland	Settle
McKee	Shofner
McKinney	Smith
Moffett	Spears
Moore	Stanfield
Morris	Steward
Morrison	Stinson
Morse	Stovall
Nicholson	Tarwater
Padgett	Tennyson
Palmer	Thornton
Patterson	Tillery
Payne	Venable
Petsch	Waggoner
Pope	Walker
Quinn	Wells
Reader	Westfall
Reed of Bowie	Wood of Harrison
Reed of Dallas	Wood of Montague
Riddle	Worley
Roach of Angelina	Young
Roach of Hunt	Youngblood
Roark	

### Absent—Excused

Hyder	Olsen
Newton	Roane

A quorum was announced present.

The Chaplain, Rev. Geo. W. Coltrin, offered the following invocation:

"Lord, Thou hast been gracious unto us and our people, even when we have been forgetful of Thee. Lead us today in paths of truth and righteousness, that our labors may be really profitable. In Christ's name. Amen."

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Greathouse for today, on motion of Mr. Davison of Fisher.

Mr. Newton for today, on motion of Mr. Hunter.

The following members were granted leaves of absence on account of illness:

Mr. Roane for today, on motion of Mr. Cooper.

Mr. Olsen for today, on motion of Mr. Quinn.

### HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the

House, read first time, and referred to the appropriate committee, as follows:

By Mr. Butler of Brazos:

H. B. No. 905, A bill to be entitled "An Act to invest the Board of Directors of the Agricultural and Mechanical College, branch of the University of Texas, with the management and control of lands heretofore and hereafter granted to such College; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

#### ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, the following members were authorized to sign bills, as follows:

Mr. Nicholson: House Bills Nos. 32, 60, 75, 104, 137, 283, 590, and 786.

Mr. Broyles: House Bill No. 66.

Mr. Rogers: House Bill No. 509.

#### RELATIVE TO HOUSE BILL NO. 624

By unanimous consent of the House, Mr. Keefe was authorized to withdraw his name from House Bill No. 624, as one of the signers of same.

#### MOTIONS TO LAY BILLS ON THE TABLE SUBJECT TO CALL

Mr. Padgett moved that House Bill No. 522 be laid on the table subject to call.

The motion was lost.

Mr. Lotief moved that House Bill No. 592 be laid on the table subject to call.

The motion was lost.

Mr. Venable moved that House Bill No. 97 be laid on the table subject to call.

The motion was lost.

Mr. Petsch moved that House Bill No. 35 be laid on the table subject to call.

The motion was lost.

Mr. Youngblood moved that House Bill No. 268 be laid on the table subject to call.

The motion was lost.

Mr. Dunlap of Hays moved that House Bill No. 107 be laid on the table subject to call.

Question recurring on the motion by Mr. Dunlap of Hays, yeas and nays were demanded.

The motion was lost by the following vote:

#### Yeas—50

Alexander	Jackson
Bergman	James
Bradbury	Jefferson
Cagle	Jones of Wise
Calvert	Keefe
Clayton	Lotief
Colson	McCalla
Cooper	McFarland
Crossley	Nicholson
Davis	Padgett
Davison of Fisher	Patterson
Dickison	Petsch
Dunlap of Hays	Riddle
England	Roach of Angelina
Ford	Roark
Fox	Russell
Frazer	Settle
Fuchs	Stanfield
Hartzog	Steward
Head	Stinson
Hill	Stovall
Holland	Tarwater
Hoskins	Thornton
Howard	Wells
Hunter	Worley

#### Nays—80

Adamson	Harris of Archer
Adkins	Harris of Dallas
Aikin	Herzik
Alsup	Hodges
Ash	Hofheinz
Atchison	Hunt
Beck	Jones of Atascosa
Bourne	Jones of Falls
Broyles	Jones of Runnels
Burton	Jones of Shelby
Butler of Brazos	King
Butler of Karnes	Lange
Caldwell	Lanning
Canon	Latham
Celaya	Leath
Collins	Lucas
Colquitt	Luker
Cowley	Mauritz
Craddock	McConnell
Daniel	McKee
Dunagan	McKinney
Dwyer	Moore
Fain	Morris
Farmer	Morrison
Fitzwater	Palmer
Gibson	Payne
Glass	Pope
Good	Quinn
Graves	Reed of Bowie
Gray	Reed of Dallas
Hankamer	Roach of Hunt
Hanna	Roberts

Rogers	Venable
Rutta	Waggoner
Scarborough	Walker
Shofner	Westfall
Smith	Wood of Harrison
Spears	Wood of Montague
Tennyson	Young
Tillery	Youngblood

## Present—Not Voting

Bradford	Moffett
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## Absent

Davisson	Knetsch
of Eastland	Lemens
Dunlap of Kleberg	Leonard
Duvall	Lindsey
Fisher	Morse
Hardin	Reader
Huddleston	

## Absent—Excused

Greathouse	Olsen
Hyder	Roane
Newton	

## BILLS LAID ON THE TABLE SUBJECT TO CALL

Mr. Worley moved that House Bill No. 583 be laid on the table subject to call.

The motion prevailed.

On motion of Mr. Fuchs, House Bill No. 40 was laid on the table subject to call.

On motion of Mr. Knetsch, House Bill No. 365 was laid on the table subject to call.

On motion of Mr. Reader, House Bill No. 5 was laid on the table subject to call.

On motion of Mr. Duvall, House Bill No. 601 was laid on the table subject to call.

Mr. Jefferson moved that House Bill No. 155 be laid on the table subject to call.

Question recurring on the motion by Mr. Jefferson, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—90

Adamson	Butler of Karnes
Ash	Caldwell
Beck	Calvert
Bradbury	Celaya
Bradford	Collins
Broyles	Colquitt
Burton	Colson
Butler of Brazos	Cooper

Crossley	Lucas
Daniel	McCalla
Davis	McConnell
Davisson	McFarland
of Eastland	McKee
Dickison	McKinney
Dunagan	Moffett
Dunlap of Hays	Morris
Duvall	Morrison
Dwyer	Morse
Farmer	Nicholson
Fisher	Padgett
Fitzwater	Patterson
Ford	Payne
Frazer	Reader
Gibson	Reed of Dallas
Glass	Riddle
Gray	Roach of Angelina
Hankamer	Roach of Hunt
Harris of Dallas	Roark
Hartzog	Roberts
Hill	Rogers
Hofheinz	Settle
Holland	Shofner
Howard	Smith
Jackson	Spears
James	Stanfield
Jefferson	Steward
Jones of Atascosa	Stovall
Jones of Falls	Tennyson
Jones of Shelby	Tillery
Jones of Wise	Venable
Keefe	Waggoner
King	Walker
Knetsch	Wells
Latham	Young
Leath	Youngblood
Lotief	

## Nays—34

Adkins	Huddleston
Aikin	Hunt
Alsup	Hunter
Atchison	Jones of Runnels
Bergman	Lanning
Bourne	Lindsey
Cagle	Luker
Canon	Mauritz
Cowley	Palmer
England	Petsch
Fain	Reed of Bowie
Fuchs	Russell
Graves	Rutta
Hardin	Scarborough
Head	Stinson
Herzik	Thornton
Hodges	Westfall

## Absent

Alexander	Hanna
Clayton	Harris of Archer
Craddock	Hoskins
Davison of Fisher	Lange
Dunlap of Kleberg	Lemens
Fox	Leonard
Good	Moore

Pope	Wood of Montague
Quinn	Wood of Harrison
Tarwater	Worley

## Absent—Excused

Greathouse	Olsen
Hyder	Roane
Newton	

On motion of Mr. Rogers, House Bill No. 559 was laid on the table subject to call.

On motion of Mr. Reed of Bowie, House Bill No. 517 was laid on the table subject to call.

Mr. Colquitt moved that House Bill No. 274 be laid on the table subject to call.

Question recurring on the motion by Mr. Colquitt, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—101

Adamson	Harris of Archer
Adkins	Harris of Dallas
Aikin	Herzik
Alexander	Hill
Alsup	Hodges
Ash	Hofheinz
Beck	Holland
Bourne	Howard
Bradford	Hunter
Burton	Jackson
Butler of Brazos	James
Butler of Karnes	Jones of Atascosa
Calvert	Jones of Runnels
Canon	Jones of Shelby
Celaya	Jones of Wise
Collins	Keefe
Colquitt	Knetsch
Colson	Lange
Cooper	Lanning
Cowley	Latham
Craddock	Leath
Crossley	Lotief
Davis	Mauritz
Davison of Fisher	McCalla
Davisson	McConnell
of Eastland	McFarland
Dickison	McKee
Duvall	Morrison
Dwyer	Nicholson
England	Padgett
Farmer	Patterson
Fitzwater	Payne
Ford	Petsch
Frazer	Reader
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Glass	Riddle
Graves	Roach of Hunt
Hankamer	Roark
Hanna	Roberts

Rogers	Tarwater
Rutta	Tennyson
Scarborough	Tillery
Settle	Venable
Shofner	Waggoner
Smith	Walker
Spears	Wells
Stanfield	Wood of Harrison
Steward	Worley
Stinson	Young
Stovall	Youngblood

## Nays—20

Bradbury	Lucas
Broyles	Luker
Cagle	McKinney
Daniel	Moffett
Fain	Morris
Hardin	Palmer
Head	Roach of Angelina
Hunt	Russell
King	Thornton
Lindsey	Westfall

## Absent

Atchison	Hoskins
Bergman	Huddleston
Caldwell	Jefferson
Clayton	Jones of Falls
Dunagan	Lemens
Dunlap of Hays	Leonard
Dunlap of Kleberg	Moore
Fisher	Morse
Fox	Pope
Good	Quinn
Gray	Wood of Montague
Hartzog	

## Absent—Excused

Greathouse	Olsen
Hyder	Roane
Newton	

On motion of Mr. Scarborough, House Bill No. 310 was laid on the table subject to call.

On motion of Mr. Nicholson, House Bill No. 750 was laid on the table subject to call.

On motion of Mr. Tarwater, House Bill No. 401 was laid on the table subject to call.

On motion of Mr. Roach of Angelina, House Bill No. 564 was laid on the table subject to call.

On motion of Mr. McCalla, House Bill No. 700 was laid on the table subject to call.

## BILL ORDERED PRINTED

On motion of Mr. Pope, House Bill No. 816, reported adversely with a minority favorable report, was ordered printed.

## NOTICES GIVEN

Mr. James gave notice that he would, on the next Legislative Day, move to take up, for consideration at that time, House Bill No. 137, which bill was heretofore laid on the table subject to call.

Mr. Rogers gave notice that he would, on Monday, April 8, move to take up, for consideration at that time, House Bill No. 559, which bill was heretofore laid on the table subject to call.

Mr. Shofner gave notice that he would, on the next Legislative Day, move to take up, for consideration at that time, House Bill No. 163, which bill was heretofore laid on the table subject to call.

Mr. Worley gave notice that he would, on the next Legislative Day, move to take up, for consideration at that time, House Bill No. 583, which bill was heretofore laid on the table subject to call.

Mr. Duvall gave notice that he would, on the next Legislative Day, move to take up, for consideration at that time, House Bill No. 601, which bill was heretofore laid on the table subject to call.

Mr. Knetsch gave notice that he would, on the next Legislative Day, move to take up, for consideration at that time, House Bill No. 365, which bill was heretofore laid on the table subject to call.

## BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 637, "An Act validating and approving all acts of the governing bodies of independent school districts, cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other agency of the United States Government; validating such bonds and the tax levies made for the payment of such bonds, providing that this Act shall not validate any bonds now in litigation, and declaring an emergency."

## RELATIVE TO CONSIDERATION OF REVENUE-RAISING BILLS

Mr. Farmer offered the following resolution:

Whereas, Bills for raising revenue must originate in the House, be considered by it, and passed before there can be any Senate action on such matters; and

Whereas, Two-thirds of the one hundred twenty-day session of this Legislature has already passed, and no substantial bill for raising any considerable amount of much needed revenue has been passed by the House; and

Whereas, The House has already passed many bills calling for many millions of dollars of additional appropriations that are not provided for; and

Whereas, There are many bills pending in the House for the raising of revenue from sources that are not paying their part of the burden of government; and

Whereas, But little time of this session remains for the proper consideration of such revenue bills; therefore, be it

Resolved, That the two weeks beginning April 8, 1935, be set apart for the consideration of revenue-raising bills in the House, and that no other bills be considered during that time except Senate bills.

FARMER,  
BRADBURY.

The resolution was read second time, and was referred by the Speaker to the Committee on Rules.

## EXTENDING USE OF HALL OF THE HOUSE

Mr. Reader offered the following resolution:

Be it resolved, That the use of the Hall of the House of Representatives be accorded to the State Board of Medical Examiners for three days, 18th and 19th and 20th of June, 1935, and for three days during the same week in June, 1936, for the purpose of conducting the annual examination of applicants for license to practice medicine; be it further

Resolved, That the present desks and chairs be not altered or changed

in any way, as this privilege is given annually for this purpose.

READER,  
CROSSLEY,  
DAVIS,  
FORD,  
ROACH of Angelina.

The resolution was read second time, and was adopted.

#### TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Jones of Atascosa offered the following resolution:

H. C. R. No. 66, To provide for adjournment sine die.

Whereas, There remain only five (5) weeks of the Regular Session of the Legislature; and

Whereas, A great number of bills are on the calendar of both the House of Representatives and the Senate for consideration; and

Whereas, It is evident that many of said bills will not receive consideration at the Regular Session of this Legislature; and

Whereas, There are certain emergency measures including appropriations that should be considered and passed during the Regular Session of the Legislature; and

Whereas, Said Legislature should adjourn promptly at the expiration of the one hundred and twenty (120) day period of said Regular Session; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-fourth Legislature stand adjourned sine die at 12 o'clock noon, Tuesday, May 7, 1935.

JONES of Atascosa,  
ALSUP,  
WELLS,  
QUINN.

The resolution was read second time.

Mr. Morse moved to table the resolution.

Question recurring on the motion to table the resolution, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—37

Adamson  
Bourne  
Broyles  
Celaya  
Colson  
Davison of Fisher

Dwyer  
Farmer  
Fox  
Frazer  
Good  
Graves  
Hartzog  
Head  
Hill  
Holland  
Hoskins  
Hunter  
Jackson  
Jefferson  
Keefe  
King

Mauritz  
McKinney  
Moore  
Morrison  
Morse  
Patterson  
Petsch  
Pope  
Reed of Dallas  
Roach of Angelina  
Russell  
Scarborough  
Stovall  
Thornton  
Young

Nays—96

Adkins  
Aikin  
Alexander  
Alsup  
Ash  
Atchison  
Beck  
Bergman  
Bradbury  
Bradford  
Burton  
Butler of Karnes  
Cagle  
Caldwell  
Calvert  
Canon  
Collins  
Colquitt  
Cowley  
Craddock  
Crossley  
Davis  
Davisson  
of Eastland  
Dickison  
Dunlap of Hays  
Dunlap of Kleberg  
Duvall  
England  
Fain  
Fitzwater  
Ford  
Fuchs  
Gibson  
Glass  
Gray  
Hankamer  
Hanna  
Hardin  
Harris of Archer  
Harris of Dallas  
Herzik  
Hodges  
Hofheinz  
Howard  
Huddleston  
Hunt  
James  
Jones of Atascosa

Jones of Falls  
Jones of Runnels  
Jones of Shelby  
Jones of Wise  
Knetsch  
Lanning  
Latham  
Leath  
Lemens  
Lindsey  
Lotief  
Lucas  
Luker  
McCalla  
McConnell  
McFarland  
McKee  
Moffett  
Morris  
Nicholson  
Padgett  
Palmer  
Payne  
Quinn  
Reed of Bowie  
Riddle  
Roach of Hunt  
Roark  
Rogers  
Rutta  
Settle  
Shofner  
Smith  
Spears  
Stanfield  
Steward  
Tarwater  
Tennyson  
Tillery  
Venable  
Waggoner  
Walker  
Wells  
Westfall  
Wood of Harrison  
Wood of Montague  
Worley  
Youngblood

## Absent

Butler of Brazos	Lange
Clayton	Leonard
Cooper	Reader
Daniel	Roberts
Dunagan	Stinson
Fisher	

## Absent—Excused

Greathouse	Olsen
Hyder	Roane
Newton	

Mr. Reed of Dallas moved that the resolution be laid on the table subject to call.

The motion was lost.

Question recurring on the adoption of the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—103

Adamson	Hankamer
Adkins	Hanna
Aikin	Hardin
Alexander	Harris of Archer
Alsup	Head
Ash	Herzik
Atchison	Hodges
Beck	Hofheinz
Bergman	Howard
Bradbury	Huddleston
Bradford	Hunt
Broyles	Jackson
Burton	James
Butler of Karnes	Jones of Atascosa
Cagle	Jones of Falls
Caldwell	Jones of Runnels
Calvert	Jones of Shelby
Canon	Jones of Wise
Collins	Knetsch
Colquitt	Lanning
Cooper	Latham
Cowley	Leath
Craddock	Lotief
Crossley	Lucas
Davis	Luker
Davison of Fisher	McCalla
Davisson	McConnell
of Eastland	McFarland
Dickison	McKee
Dunlap of Hays	Moffett
Duvall	Moore
Dwyer	Morris
England	Morrison
Fain	Nicholson
Fisher	Padgett
Fitzwater	Palmer
Ford	Payne
Fuchs	Pope
Gibson	Quinn
Glass	Reed of Bowie
Gray	Riddle

Roach of Hunt  
Roark  
Rutta  
Settle  
Shofner  
Smith  
Spears  
Stanfield  
Steward  
Stovall  
Tarwater

Tennyson  
Tillery  
Venable  
Waggoner  
Walker  
Wells  
Westfall  
Wood of Montague  
Worley  
Young  
Youngblood

## Nays—29

Bourne	Keefe
Celaya	King
Colson	Lemens
Farmer	Lindsey
Fox	Mauritz
Frazer	McKinney
Good	Morse
Graves	Patterson
Harris of Dallas	Petsch
Hartzog	Reed of Dallas
Hill	Roach of Angelina
Holland	Russell
Hoskins	Scarborough
Hunter	Thornton
Jefferson	

## Absent

Butler of Brazos	Leonard
Clayton	Reader
Daniel	Roberts
Dunagan	Rogers
Dunlap of Kleberg	Stinson
Lange	Wood of Harrison

## Absent—Excused

Greathouse	Olsen
Hyder	Roane
Newton	

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, April 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 97, A bill to be entitled "An Act amending Chapter 18, Acts of the Third Called Session of the Forty-second Legislature, by adding thereto Section 4-a so as to authorize building and loan associations to make loans under the terms and provisions of Title II of the National Housing Act and to except such loans from the limitations prescribed by said chapter, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

# CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 779

The Speaker laid before the House, for consideration at this time, the conference committee report on House Bill No. 779;

The report having been printed in the Journal on Friday, March 29.

Mr. McKee moved that the report be adopted.

Mr. Calvert moved that further consideration of the report be postponed until 10 o'clock a. m., Tuesday, April 9.

(Mr. Head in the Chair.)

Question recurring on the motion by Mr. Calvert, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—104

Adamson	Gray
Adkins	Hanna
Aikin	Hardin
Alexander	Harris of Archer
Alsup	Harris of Dallas
Ash	Hartzog
Atchison	Head
Beck	Hodges
Bergman	Hofheinz
Bourne	Holland
Bradbury	Huddleston
Broyles	Hunt
Burton	Jones of Atascosa
Butler of Brazos	Jones of Falls
Butler of Karnes	Jones of Shelby
Cagle	Jones of Wise
Calvert	Keefe
Canon	King
Collins	Lanning
Colquitt	Latham
Cooper	Leath
Cowley	Lemens
Craddock	Lindsey
Crossley	Lotief
Davison of Fisher	Lucas
Davisson	Luker
of Eastland	Mauritz
Duvall	McConnell
Dwyer	McKinney
England	Moffett
Fain	Moore
Farmer	Morris
Fisher	Padgett
Fitzwater	Palmer
Ford	Patterson
Fox	Payne
Gibson	Petsch
Glass	Pope
Good	Reader
Graves	Reed of Bowie

Reed of Dallas  
Roach of Hunt  
Roark  
Roberts  
Rutta  
Scarborough  
Settle  
Shofner  
Smith  
Spears  
Steward  
Stovall  
Tarwater

Tennyson  
Thornton  
Tillery  
Waggoner  
Walker  
Wells  
Westfall  
Wood of Harrison  
Wood of Montague  
Worley  
Young  
Youngblood

## Nays—14

Dickison  
Frazer  
Fuchs  
Hill  
Howard  
James  
Knetsch

McCalla  
McFarland  
McKee  
Morse  
Quinn  
Stanfield  
Venable

## Absent

Bradford	Jackson
Caldwell	Jefferson
Celaya	Jones of Runnels
Clayton	Lange
Colson	Leonard
Daniel	Morrison
Davis	Newton
Dunagan	Nicholson
Dunlap of Hays	Riddle
Dunlap of Kleberg	Roach of Angelina
Hankamer	Rogers
Herzik	Russell
Hoskins	Stinson
Hunter	

## Absent—Excused

Greathouse	Olsen
Hyder	Roane

(Speaker in the Chair.)

## SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 97, to the Committee on State Affairs.

## CONFERENCE COMMITTEE ON HOUSE BILL NO. 763

The Speaker announced the appointment of the following conference committee on House Bill No. 763: Messrs. Beck, Good, Moffett, Alsup, and McFarland.



## RECESS

On motion of Mr. Harris of Dallas, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

## AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 404

Mr. Stovall submitted the following conference committee report on House Bill No. 404:

Committee Room,  
Austin, Texas, March 29, 1935.  
Hon. Walter F. Woodul, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your committee appointed to adjust the differences between the two houses on House Bill No. 404, have had the same under consideration and hereby report back to the Senate and House that we have been unable to agree and request and recommend the appointment of another conference committee.

Respectfully,  
RAWLINGS,  
HOPKINS,  
PACE,  
SMALL,  
MOORE,

On the part of the Senate;

STOVALL,  
LINDSEY,  
McCONNELL,  
STEWARD,

On the part of the House.

I do not approve another committee. The proposed bill is unconstitutional.

FARMER.

On motion of Mr. Stovall, the report was adopted.

In accordance with the above action, the Speaker announced the appointment of the following conference committee on House Bill No. 404: Messrs. Duvall, Stanfield, Hankamer, Roark, and Howard.

HOUSE BILL NO. 547 WITH SENATE AMENDMENTS

Mr. Leonard called up from the Speaker's table, with Senate amend-

ments, for consideration of the amendments,

H. B. No. 547, A bill to be entitled "An Act making an emergency appropriation of ten thousand dollars (\$10,000) for Sul Ross State Teachers College for the purpose of erecting cottages on the campus of the said college, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Leonard moved that the House concur in the Senate amendments.

Mr. Quinn moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion of Mr. Quinn was lost.

Question recurring on the motion by Mr. Leonard, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—104

Adamson	Hanna
Adkins	Harris of Archer
Alexander	Harris of Dallas
Alsup	Hartzog
Ash	Head
Atchison	Herzik
Beck	Hill
Bergman	Hodges
Bourne	Hofheinz
Bradford	Holland
Broyles	Hoskins
Burton	Howard
Butler of Brazos	Hunter
Butler of Karnes	Jackson
Cagle	James
Celaya	Jefferson
Collins	Jones of Atascosa
Colquitt	Jones of Falls
Cooper	Jones of Runnels
Cowley	Jones of Shelby
Crossley	Jones of Wise
Davis	Keefe
Dickison	King
Dunlap of Hays	Knetsch
Dunlap of Kleberg	Lange
England	Lanning
Fisher	Leath
Fitzwater	Lemens
Ford	Leonard
Fox	Lucas
Frazer	Mauritz
Fuchs	McConnell
Glass	McFarland
Graves	McKee
Gray	McKinney
Greathouse	Moffett
Hankamer	Moore

Morrison	Russell
Morse	Scarborough
Nicholson	Smith
Padgett	Stanfield
Palmer	Steward
Patterson	Stovall
Payne	Tarwater
Pope	Thornton
Reader	Tillery
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Riddle	Wood of Montague
Roach of Angelina	Worley
Roark	Young
Roberts	Youngblood

## Nays—25

Aikin	Lotief
Bradbury	Luker
Canon	McCalla
Craddock	Morris
Daniel	Quinn
Fain	Roach of Hunt
Farmer	Rutta
Good	Shofner
Hardin	Tennyson
Huddleston	Venable
Hunt	Westfall
Latham	Wood of Harrison
Lindsey	

## Present—Not Voting

Davison of Fisher

## Absent

Caldwell	Dwyer
Calvert	Gibson
Clayton	Petsch
Colson	Rogers
Davisson	Settle
of Eastland	Spears
Dunagan	Stinson
Duvall	Wells

## Absent—Excused

Hyder	Newton
Olsen	Roane

CONCERNING ADJOURNMENT  
SINE DIE

Mr. Pope moved to reconsider the vote by which House Concurrent Resolution No. 66, providing for adjournment sine die, was adopted.

Mr. Spears moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—83

Adamson	Jackson
Aikin	James
Alexander	Jones of Atascosa
Alsup	Jones of Shelby
Beck	Jones of Wise
Bergman	Knetsch
Bradbury	Lange
Bradford	Lanning
Burton	Latham
Butler of Brazos	Leath
Butler of Karnes	Lotief
Canon	Lucas
Collins	Luker
Colquitt	McConnell
Cooper	McFarland
Cowley	Moore
Craddock	Padgett
Davis	Quinn
Davison of Fisher	Reader
Davisson	Reed of Bowie
of Eastland	Riddle
Dickison	Roark
Dunlap of Hays	Roberts
Duvall	Rutta
England	Settle
Fain	Shofner
Fisher	Smith
Fitzwater	Spears
Gibson	Stanfield
Gray	Steward
Hankamer	Tarwater
Hanna	Tennyson
Hardin	Tillery
Harris of Archer	Venable
Head	Waggoner
Herzik	Walker
Hodges	Wells
Hofheinz	Westfall
Hoskins	Wood of Harrison
Huddleston	Wood of Montague
Hunt	Worley
Hyder	Youngblood

## Nays—46

Ash	Keefe
Bourne	King
Broyles	Lemens
Cagle	Leonard
Colson	Lindsey
Crossley	Mauritz
Farmer	McCalla
Ford	McKee
Fox	McKinney
Frazer	Moffett
Glass	Morris
Good	Morrison
Graves	Morse
Harris of Dallas	Nicholson
Hill	Palmer
Holland	Patterson
Hunter	Payne
Jefferson	Pope
Jones of Falls	Reed of Dallas
Jones of Runnels	Roach of Angelina

Roach of Hunt  
Russell  
Scarborough

Stovall  
Thornton  
Young

## Absent

Adkins  
Atchison  
Caldwell  
Calvert  
Celaya  
Clayton  
Daniel  
Dunagan

Dunlap of Kleberg  
Dwyer  
Fuchs  
Hartzog  
Howard  
Petsch  
Rogers  
Stinson

## Absent—Excused

Greathouse  
Newton

Olsen  
Roane

HOUSE BILL NO. 780 ON PAS-  
SAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 780, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two-year period beginning September 1, 1935, and ending August 31, 1937, and for other purposes; and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency";

The bill having heretofore been read second time;

The House having agreed to consider the bill department by department, and having under consideration at this time the section of the bill relating to the State Department of Agriculture.

Mr. Aikin offered the following amendment to this section of the bill:

Amend House Bill No. 780 by striking out all of line 40, page 6, and lines 4 and 5, page 7.

Mr. Leonard moved to table the amendment by Mr. Aikin.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—74

Adamson  
Alexander  
Ash  
Bradford  
Butler of Brazos

Celaya  
Collins  
Colquitt  
Colson  
Cowley

Crossley  
Davis  
Davison of Fisher  
Davisson  
of Eastland  
Dickison  
Dunlap of Hays  
Duvall  
Dwyer  
England  
Fain  
Fisher  
Fitzwater  
Ford  
Fox  
Frazer  
Gibson  
Glass  
Good  
Gray  
Hankamer  
Harris of Archer  
Hartzog  
Head  
Hill  
Hofheinz  
Holland  
Howard  
Hunter  
Hyder  
Jackson  
James  
Jefferson

Jones of Atascosa  
Jones of Falls  
Jones of Runnels  
Keefe  
King  
Knetsch  
Lange  
Leonard  
McConnell  
McFarland  
McKee  
McKinney  
Moore  
Morrison  
Reader  
Reed of Dallas  
Roark  
Roberts  
Russell  
Scarborough  
Settle  
Smith  
Spears  
Stanfield  
Steward  
Stovall  
Tarwater  
Thornton  
Tillery  
Worley  
Young  
Youngblood

## Nays—47

Adkins  
Aikin  
Alsup  
Beck  
Bergman  
Bourne  
Bradbury  
Broyles  
Burton  
Butler of Karnes  
Cagle  
Canon  
Cooper  
Farmer  
Graves  
Hanna  
Hardin  
Hodges  
Huddleston  
Hunt  
Jones of Wise  
Latham  
Lindsey  
Lotief

Lucas  
Luker  
Mauritz  
McCalla  
Moffett  
Morris  
Nicholson  
Palmer  
Patterson  
Quinn  
Reed of Bowie  
Roach of Angelina  
Roach of Hunt  
Rutta  
Shofner  
Tennyson  
Venable  
Waggoner  
Walker  
Wells  
Westfall  
Wood of Harrison  
Wood of Montague

## Absent

Atchison  
Caldwell  
Calvert  
Clayton  
Craddock  
Daniel

Dunagan  
Dunlap of Kleberg  
Fuchs  
Harris of Dallas  
Herzik  
Hoskins

Jones of Shelby	Payne
Lanning	Petsch
Leath	Pope
Lemens	Riddle
Morse	Rogers
Padgett	Stinson

## Absent—Excused

Greathouse	Olsen
Newton	Roane

Mr. Aikin offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 6, by striking out all of lines 31 to 37, inclusive.

Mr. Cooper moved the previous question on the pending amendment, amendments on the Speaker's desk, and the bill, and the motion was not seconded.

On motion of Mr. Leonard, the amendment by Mr. Aikin was tabled.

Mr. Aikin offered the following amendment to this section of the bill:

Amend House Bill No. 780, in lines 29, 30, and 31, page 7, by striking out the words "exchange and purchase of new cars," and by changing the figures in each column to \$500.

The amendment was adopted.

Mr. Patterson moved to reconsider the vote by which the House, on last Friday, adopted an amendment striking out the provisions for the Finance Officer of the Adjutant General's Department, and asked to have the motion to reconsider spread on the Journal.

Mr. Farmer offered the following amendment to this section of the bill relative to the State Department of Agriculture:

Amend House Bill No. 780 as follows: Insert between lines 28 and 29, page 6, these words and figures: "Salaries of two co-operative farm terracers, \$3,000, \$3,000."

On motion of Mr. Alexander, the amendment was tabled.

Mr. McCalla offered the following amendment to the section of the bill relative to the Attorney General's Department:

Amend House Bill No. 780, page 9, line 14, by striking out the figures "\$1,800" in each instance on said line and inserting in lieu thereof the figures "\$2,000" in each instance on said line.

On motion of Mr. Leonard, the amendment was tabled.

Mr. Broyles offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 10, line 36, by substituting "\$3,600" for "\$4,000."

The amendment was adopted.

Mr. Farmer offered the following amendment to this section of the bill:

Amend House Bill No. 780 as follows: Strike out, in line 20, page 9, "\$100," and insert therefor "\$110."

Mr. Leonard moved to table the amendment by Mr. Farmer.

Question recurring on the motion to table yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—91

Adamson	Hodges
Adkins	Hoskins
Aikin	Huddleston
Alsup	Hunter
Ash	Hyder
Atchison	Jackson
Beck	Jones of Falls
Bergman	Jones of Runnels
Bourne	Jones of Shelby
Bradbury	King
Bradford	Knetsch
Broyles	Lange
Burton	Lanning
Butler of Karnes	Latham
Cagle	Lemens
Calvert	Leonard
Canon	Lotief
Clayton	Lucas
Colquitt	Luker
Cooper	Mauritz
Cowley	McConnell
Craddock	McFarland
Crossley	McKinney
Davisson	Moffett
of Eastland	Morrison
Dunlap of Hays	Payne
Dunlap of Kleberg	Reed of Bowie
Fain	Roach of Angelina
Fisher	Roach of Hunt
Fitzwater	Roberts
Fox	Russell
Frazer	Settle
Fuchs	Shofner
Gibson	Smith
Glass	Stanfield
Good	Stovall
Hankamer	Tarwater
Hanna	Tennyson
Hardin	Thornton
Harris of Archer	Venable
Harris of Dallas	Waggoner
Head	Walker
Herzik	Wells
Hill	Westfall

Wood of Harrison Worley  
Wood of Montague Young

## Nays—27

Alexander	Keefe
Butler of Brazos	Leath
Celaya	Lindsey
Collins	McCalla
Colson	Moore
Daniel	Padgett
Duvall	Patterson
England	Quinn
Farmer	Reed of Dallas
Ford	Roark
Hofheinz	Rutta
Holland	Tillery
James	Youngblood
Jones of Wise	

## Absent

Caldwell	Morris
Davis	Morse
Davison of Fisher	Nicholson
Dickison	Palmer
Dunagan	Petsch
Dwyer	Pope
Graves	Reader
Gray	Riddle
Hartzog	Rogers
Howard	Scarborough
Hunt	Spears
Jefferson	Steward
Jones of Atascosa	Stinson
McKee	

## Absent—Excused

Greathouse	Olsen
Newton	Roane

Mr. Leonard offered the following amendment to this section of the bill:

Amend House Bill No. 780 by striking out totals in line 30, page 11, and inserting in lieu thereof the amount "\$50,000" in each line, and by striking out totals in line 33, page 11, and insert in lieu thereof in each line the amount "\$144,720" in the first line and "\$139,720" in the second line.

The amendment was adopted.

Mr. McConnell offered the following amendment to the section of the bill relative to the State Auditor and Efficiency Expert:

Amend House Bill No. 780, page 11, line 40, by changing the amount of annual salary from "\$4,200" to "\$3,750."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Lucas offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 12, line 4, by striking out the figures

"\$3,000" and insert in lieu thereof the figures "\$2,700."

The amendment was adopted.

Mr. Celaya offered the following amendment to this section of the bill:

Amend House Bill No. 780 by striking out, on page 12, line 6, the words "Legal Assistant" and figures "\$2,400" wherever they may appear and insert in lieu thereof the words "Assistant Attorney General to be appointed by the Attorney General, to devote full time to the State Auditor," and change the figures "\$2,400" to "\$3,600."

Mr. Aikin offered the following substitute for the amendment by Mr. Celaya:

Amend House Bill No. 780, page 12, by striking out all of line 6.

The amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Aikin moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Lucas offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 12, line 5, by striking out the figures "\$2,400" and insert in lieu thereof the figures "\$2,200."

The amendment was adopted.

Mr. McConnell offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 13, by striking out lines 9, 10, and 11 on said page 13.

On motion of Mr. Leonard, the amendment was tabled.

Mr. McConnell offered the following amendment to the section of the bill relative to the State Banking Department:

Amend House Bill No. 780, page 14, line 8, by changing the annual salary from "\$4,000" to "\$3,500."

On motion of Mr. Leonard, the amendment was tabled.

Mr. McConnell offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 14, by striking out lines 11 and 12 and changing the word "ten" to "fifteen" in line 13, and changing the figures from "\$54,000" in line 14 to "\$36,000"

for each of the two years therein named.

On motion of Mr. Leonard, the amendment was tabled.

Mr. Alsup offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 14, by striking out lines 8 through 14, and inserting in lieu thereof the following:

"Commissioner, \$5,000, each year.

"Deputy Commissioner, \$4,000, each year.

"Two examiners at \$4,000, \$8,000, each year.

"Two examiners at \$3,900, \$7,800, each year.

"Five examiners at \$3,600, \$18,000, each year.

"Three examiners at \$3,000, \$9,000, each year.

"Five examiners at \$1,800, \$9,000, each year.

"Total \$60,800."

On motion of Mr. Leonard, the amendment was tabled.

Mr. McKee offered the following amendment to the section of the bill relative to the State Board of Barber Examiners:

Amend House Bill No. 780, page 17, line 14, by striking out the figures "\$3,600" and insert in lieu thereof the figures "\$4,500."

Mr. Leonard moved to table the amendment by Mr. McKee.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—96

Adamson	Colson
Adkins	Cooper
Aikin	Cowley
Alsup	Craddock
Ash	Crossley
Atchison	Davis
Bourne	Davisson
Bradbury	of Eastland
Bradford	Dunagan
Broyles	Dunlap of Hays
Burton	Dunlap of Kleberg
Butler of Karnes	Fain
Cagle	Farmer
Caldwell	Fisher
Canon	Fitzwater
Celaya	Fuchs
Clayton	Gibson
Collins	Glass
Colquitt	Good

Gray	Moore
Hankamer	Morrison
Hanna	Morse
Hardin	Palmer
Harris of Archer	Patterson .
Harris of Dallas	Payne
Head	Reed of Bowie
Herzik	Reed of Dallas
Hodges	Roach of Angelina
Hofheinz	Roach of Hunt
Holland	Roark
Huddleston	Roberts
Hunt	Rutta
Hyder	Scarborough
James	Settle
Jones of Falls	Smith
Jones of Shelby	Stanfield
Jones of Wise	Steward
King	Tarwater
Knetsch	Tennyson
Lanning	Thornton
Latham	Tillery
Leonard	Venable
Lotief	Waggoner
Lucas	Westfall
Mauritz	Wood of Harrison
McCalla	Wood of Montague
McConnell	Worley
McFarland	Young
McKinney	

#### Nays—16

Dickison	Keefe
England	McKee
Frazer	Morris
Hill	Padgett
Hoskins	Russell
Howard	Shofner
Jefferson	Wells
Jones of Runnels	Youngblood

#### Absent

Alexander	Leath
Beck	Lemens
Bergman	Lindsey
Butler of Brazos	Luker
Calvert	Moffett
Daniel	Nicholson
Davison of Fisher	Petsch
Duvall	Pope
Dwyer	Quinn
Ford	Reader
Fox	Riddle
Graves	Rogers
Hartzog	Spears
Hunter	Stinson
Jackson	Stovall
Jones of Atascosa	Walker
Lange	

#### Absent—Excused

Greathouse	Olsen
Newton	Roane

#### Reason for Vote

I voted for the McKee amendment to House Bill No. 780, raising the sal-

ary of the Barber Examiners, for the reason that the salary of the examiners are paid from the Special Barbers' Fund, which fund is raised by yearly dues from the barbers over the State. In as much as such a raise would cost the General Fund nothing and the barbers wanted the examiners to have the additional raise, I voted for same.

## SHOFNER.

Mr. McKee offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 17, line 15, by striking out the figures "\$2,000" and insert in lieu thereof "\$2,400."

Mr. Leonard moved to table the amendment by Mr. McKee.

The motion to table prevailed.

Mr. Patterson offered the following amendment to the section of the bill relative to the State Board of Control:

Amend House Bill No. 780, page 20, line 16, by striking out the figures "\$60" and substitute therefor the figures "\$65," and change totals to conform.

The amendment was adopted.

Mr. Hunt offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 20, line 6, by striking out the figures "\$1,200" wherever they appear and insert in lieu thereof the figures "\$1,380."

The amendment was adopted.

Mr. Lucas offered the following amendment to this section of the bill:

Amend House Bill No. 780 by striking out line 40, page 20, and line 4, page 21.

On motion of Mr. Leonard, the amendment was tabled.

Mr. Worley offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 20, line 21, by striking out the figures "\$60" and substituting in lieu thereof the figures "\$65," and making total conform to such change.

The amendment was adopted.

Mr. Lindsey offered the following amendment to this section of the bill:

Amend House Bill No. 780, line 13, page 19, by changing the figures "\$1,500" to "\$1,380," each year.

The amendment was adopted.

Mr. Youngblood offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 20, line 7, by striking out the figures "\$1080" and insert in lieu thereof the figures "\$1,380."

The amendment was adopted.

Mr. Lotief offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 21, line 9, by striking out "traveling expense, \$3,000."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Frazer offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 18, line 31, by striking out the figures "\$3,600" and inserting in lieu thereof the figures "\$3,000," and changing totals to conform.

On motion of Mr. Leonard, the amendment was tabled.

Mr. Calvert moved the previous question on the passage of the bill to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—56

Adamson	Hunter
Alsup	Jones of Atascosa
Beck	Jones of Runnels
Bergman	Jones of Shelby
Butler of Karnes	Jones of Wise
Calvert	Keefe
Clayton	Knetsch
Colson	Lange
Cooper	Lanning
Cowley	Leath
Crossley	Luker
Daniel	McCalla
Davis	McFarland
Davison of Fisher	Moffett
Dickison	Moore
England	Morris
Ford	Morse
Fox	Padgett
Gibson	Petsch
Glass	Reader
Hardin	Roark
Head	Roberts
Herzik	Rutta
Hofheinz	Shofner
Holland	Spears
Hunt	Stanfield

Thornton  
Wells

Worley  
Young

### Nays—77

Adkins	Jackson
Aikin	James
Alexander	King
Ash	Latham
Atchison	Lemens
Bourne	Lindsey
Bradbury	Lotief
Bradford	Lucas
Broyles	Mauritz
Burton	McConnell
Cagle	McKee
Caldwell	McKinney
Canon	Morrison
Collins	Newton
Colquitt	Olsen
Craddock	Palmer
Davisson	Patterson
of Eastland	Payne
Dunagan	Pope
Dunlap of Hays	Quinn
Duvall	Reed of Bowie
Fain	Reed of Dallas
Farmer	Roach of Angelina
Fitzwater	Roach of Hunt
Frazer	Russell
Fuchs	Scarborough
Good	Smith
Gray	Steward
Hankamer	Stinson
Hanna	Tarwater
Harris of Archer	Tennyson
Harris of Dallas	Tillery
Hartzog	Venable
Hill	Waggoner
Hodges	Walker
Hoskins	Westfall
Howard	Wood of Harrison
Huddleston	Wood of Montague
Hyder	Youngblood

### Absent

Butler of Brazos	Jones of Falls
Celaya	Leonard
Dunlap of Kleberg	Nicholson
Dwyer	Riddle
Fisher	Rogers
Graves	Settle
Jefferson	Stovall

### Absent—Excused

Greathouse	Roane
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Question—Shall House Bill No. 780 pass to engrossment?

### MESSAGE FROM THE GOVERNOR

Mr. Edward Clark, secretary to the Governor, appeared at the bar of the House, and, being duly announced, presented the following message from

the Governor, which was read to the House, as follows:

Executive Office,

Austin, Texas, April 1, 1935.

To the House of Representatives of the Forty-fourth Legislature:

I am returning herewith House Bill No. 569, which I have vetoed, for the following reasons:

1. This bill is in form a general law applicable to counties with not less than 22,296 and not more than 22,580 inhabitants. Therefore, it is, in effect, a local bill and, in my opinion, it is clearly unconstitutional. I am in receipt of an opinion from the First Assistant Attorney General holding this bill to be unconstitutional.

2. This bill attempts to authorize commissioners courts in any county falling within this narrow margin of population to purchase one truck, or "pick-up," for each commissioner's precinct in said county for the use of each county commissioner. I see no reason for granting this authority to one county in the State and not to others. This, however, is the effect of the bill.

I am, therefore, vetoing same, not only because, in my opinion, it is unconstitutional, but because I doubt its wisdom and policy.

Respectfully,

JAMES V. ALLRED,

Governor of Texas.

### CONSIDERATION OF VETO OF HOUSE BILL NO. 569

Mr. Dunagan called up for consideration at this time,

H. B. No. 569, A bill to be entitled "An Act authorizing the commissioners court in the county or counties containing 22,296 and not more than 22,580 inhabitants, according to the last Federal Census, to purchase out of certain funds of the county, one truck or pick-up for each commissioner precinct, to be used in said precinct in the official duty of commissioner or commissioners, providing that said truck or pick-up shall not be used by commissioner, commissioners, or anyone else for personal business or pleasure trips, and declaring an emergency";

The bill having been received from the Governor today notifying the House of his veto of same.



Mr. Dunagan moved that the bill be passed, notwithstanding the objections of the Governor.

Question—Shall House Bill No. 569 pass?

House Bill No. 569 then failed to pass, notwithstanding the Governor's objection, by the following vote:

## Yeas—52

Alexander	Hofheinz
Alsup	Hoskins
Atchison	Howard
Bergman	Huddleston
Bradford	Hunter
Butler of Brazos	Hyder
Butler of Karnes	Jackson
Celaya	James
Collins	Jones of Wise
Colson	King
Cooper	Knetsch
Dickison	Latham
Dunagan	McCalla
Dunlap of Hays	McKee
Duvall	McKinney
Dwyer	Morse
Frazer	Padgett
Fuchs	Pope
Gibson	Reed of Dallas
Good	Riddle
Hankamer	Roark
Hanna	Russell
Hardin	Settle
Harris of Dallas	Thornton
Hartzog	Walker
Hill	Young

## Nays—60

Adamson	Lange
Adkins	Lanning
Aikin	Leath
Beck	Lemens
Bourne	Lindsey
Bradbury	Lucas
Broyles	Luker
Burton	Mauritz
Cagle	McConnell
Calvert	McFarland
Canon	Moffett
Clayton	Morris
Colquitt	Palmer
Cowley	Patterson
Crossley	Payne
Davisson	Quinn
of Eastland	Reed of Bowie
Fain	Roach of Angelina
Farmer	Roach of Hunt
Fitzwater	Roberts
Ford	Rogers
Fox	Smith
Harris of Archer	Stanfield
Hodges	Stovall
Jones of Falls	Tennyson
Jones of Runnels	Tillery
Jones of Shelby	Venable

Waggoner	Wood of Montague
Wells	Worley
Westfall	Youngblood
Wood of Harrison	

## Present—Not Voting

Craddock	Keefe
Daniel	Moore
England	Rutta
Glass	Scarborough
Head	Tarwater

## Absent

Ash	Jones of Atascosa
Caldwell	Leonard
Davis	Lotief
Davison of Fisher	Morrison
Dunlap of Kleberg	Nicholson
Fisher	Petsch
Graves	Reader
Gray	Shofner
Herzik	Spears
Holland	Steward
Hunt	Stinson
Jefferson	

## Absent—Excused

Greathouse	Olsen
Newton	Roane

Mr. Lemens moved to reconsider the vote by which House Bill No. 569 failed to pass, notwithstanding the objections of the Governor, and asked to have the motion to reconsider spread on the Journal.

## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, April 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on House Bill No. 404, and the following have been appointed on the part of the Senate: Senators Collie, Holbrook, Van Zandt, Poage, Davis.

Respectfully,

BOB BARKER,

Secretary of the Senate.

## RECESS

Mr. Hankamer moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Padgett moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Jones of Wise moved that the House recess to 9 o'clock a. m., tomorrow.

Question recurring on the motion of Mr. Hankamer, it prevailed, and the House, accordingly, at 5:20 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

## APPENDIX

### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Education: House Bills Nos. 492, 827, 169, and Senate Bill No. 465.

Game and Fisheries: House Bill No. 873.

Judiciary: House Bills Nos. 710, 784, 798, 879, 895, and 711.

Military Affairs: House Bill No. 733.

The Committee on Judiciary filed an adverse report, with a minority favorable report, on House Bill No. 808.

### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, April 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 637, "An Act validating and approving all acts of the governing bodies of independent school districts, cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other agency of the United States Government; validating such bonds and the tax levies made for the payment of such bonds, providing that this Act shall not validate any bonds now in litigation, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

In Memory of  
**Mr. Robert M. Lemens**

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Mr. Bourne offered the following resolution:

Whereas, On Saturday morning, March 23, 1935, there passed from our midst Mr. Robert M. Lemens, grandfather of our beloved fellow member, Hon. Vernon Lemens; and

Whereas, Mr. Robert M. Lemens was an honored and valuable citizen of his community throughout his long career, and his death is a distinct loss to his county and State; and

Whereas, Our deepest and most heartfelt sympathy at this time of bereavement goes out to the wife, family, and friends of Mr. Robert M. Lemens; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That in the death of Mr. Robert M. Lemens the State has lost a distinguished and useful citizen and that the members of the House of Representatives regret exceedingly the untimely passing of this worthy man and deeply sympathize with his bereaved family; and be it further

Resolved, That a copy of this resolution be spread upon the House Journal today in memory of the deceased; and be it further

Resolved, That when the House adjourns today it do so out of honor and respect and in memory of Mr. Robert M. Lemens; and be it further

Resolved, That the Chief Clerk of the House be instructed to send to the family of the deceased a copy of this resolution.

BOURNE,  
AIKIN,  
CANON.

Signed—Stevenson, Speaker; Adamson, Adkins, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Hays, Dunlap of Kleberg, Duvall, Dwyer, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hanna, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Atascosa, Jones of Falls, Jones of Runnels, Jones of Shelby, Jones of Wise, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Harrison, Wood of Montague, Worley, Young, Youngblood.

The resolution was read second time.

On motion of Mr. Hodges, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.